

PPA – Peoples "PONO" Alliance
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FAX

Date: July 24, 2006
 To: Mr. Louis Abrams, Kauai Charter Commission Chair
 From: Janeé Marie Taylor, Representative PPA
 Subject: Revised Amendments to the Kauai County Charter 2006
 Total Pages: 5

The recommendations are as follows: (highlighted in BOLD)

ARTICLE II POWERS OF THE COUNTY

Section 2. 01. Powers. To promote "PONO" for the general welfare and the safety, health, peace, good order, comfort, morals and social fabric of its inhabitants, the county shall have and may exercise all powers and authority which may hereafter be granted to it, except as restricted by law as of this State.

Article III County Council

Section 3. 04 . Qualifications.

To be eligible for the council, a person must practice "PONO", be a citizen of the United States and must have been a duly qualified elector of the county for at least two years immediately preceding his election of appointment, and be evaluated annually.

Article V County Clerk

Section 5 . 01 Powers, Duties and Functions.

B. The County clerk shall practice "PONO" and:

Article VI Executive Branch

Section 6.02 Executive Power. The executive power of the county shall practice "PONO" and be vested in and exercised by the executive branch, which shall be headed by the mayor.

Section 6.03 Creation of Advisory Committees. The mayor or department heads, with the approval of the mayor, may each appoint advisory committees. Such advisory committees shall practice "PONO", not exist beyond the term of office of the appointing authority. And be evaluated annually.

Section 6 . 05 . Powers and Duties of Heads of Executive Agencies.

- A. Subject to the provisions of this charter and applicable regulations adopted thereunder, the heads of the executive agencies of the county government are empowered to practice "PONO" and to assign and reassign duties, supervise, manage, and control all employees and shall have the power and duty to make all personnel actions as provided by law. And be evaluated annually.

ARTICLE VII

MAYOR

Section 7 . 05 . Powers, Duties and Functions. The mayor shall practice "PONO", be the chief executive officer of the county, and be evaluated annually.

ARTICLE VIII

County Attorney

Section 8 . 04 . Powers, Duties, and Functions. The county attorney shall practice "PONO" and be the chief legal adviser and legal representative of all agencies, including the council, and of all officers and employees in matters relating to their official powers and duties, and he/she shall represent the county in all legal proceedings. He shall perform all other services incident to his office as may be required by law. And be evaluated annually.

Section 8 . 06 . Deputy County Attorneys. The county attorney shall practice "PONO" and have the power to appoint such deputy county attorneys and necessary staff as shall be authorized by the council and within the appropriation made there. Such deputies shall serve at the pleasure of the county attorney. And be evaluated annually.

Section 8 . 06 . Special Counsel. The council shall practice "PONO", and may, by vote of five members, authorize the employment of special counsel, who shall practice "PONO" and for any special matter necessitating such employment. Any such authorization shall specify the compensation, if any, to be paid for said services. And be evaluated annually.

ARTICLE IX

Public Defender

Section 9 . 01 . Counsel for Defense. Any person accused of any felony or misdemeanor under the laws of the State or the County shall be entitled to representation or assistance by counsel. The council may by ordinance establish a system to provide counsel for the defense of any person accused of any crime who is financially unable to afford his own counsel. This Counsel for the Defense shall practice "PONO", and be evaluated annually.

ARTICLE IX

Prosecuting Attorney

Section 9A . 03 . Powers, Duties and Functions. The prosecuting attorney shall practice "PONO" and:

ARTICLE X

Department of Finance

Section 10 . 04 . Powers, Duties and Functions. The director of finance shall practice "PONO", be evaluated annually and be the chief accounting, fiscal and budget officer of the county and shall:

ARTICLE XI

Police Department

Section 11 . 02 . Police Commission. The police commission shall practice "PONO", be evaluated annually and consist of five members appointed by the mayor with the approval of the council. The commission shall hold regular public meetings at a designated time and place

Chief of Police

Section 11 . 05. Powers, Duties and Functions. The chief of police shall practice "PONO", be evaluated annually and be the administrative head of the police department and shall:

ARTICLE XIII

Fire Department

Section 12 . 03 . Powers, Duties, and Functions. The fire chief shall practice "PONO", be evaluated annually and be the administrative head of the fire department and shall:

ARTICLE XIII

Department of Public Works

County Engineer

Section 13 . 03 . Powers, Duties and Functions. The county engineer shall practice "PONO", be evaluated annually, and be responsible for the administration of the department of public works and shall:

ARTICLE XIV

Planning Department

Section 14 . 03 . Duties and Functions of the Planning Commission. The planning commission shall practice "PONO", be evaluated annually and put to vote to the body politic all final recommendations to be made regarding new development and Quality of Life for Kauai Citizens.

Section 14 . 05 Powers, Duties and Functions of the Director. The planning director shall practice "PONO", be evaluated annually and:

ARTICLE XV

Department of Personnel Services

Section 15 . 02 . Powers and Duties. The civil service commission shall practice "PONO", be evaluated annually and:

Section 15 . 04 . Director of Personnel Services. The director of personnel services shall practice "PONO", be evaluated annually and.....

ARTICLE XVI

Liquor Control Commission

Section 16 . 04 Powers and Duties of Commission. The liquor control commission shall practice "PONO", be evaluated annually, and:

Section 16 . 05 Director. The director shall practice "PONO", be evaluated annually and may be removed by the liquor control commission.

ARTICLE XVII

Department of Water

Section 17 . 03 . Powers and Duties of the Board. The board shall practice "PONO", be evaluated annually and.....

Section 17 . 04. Staff. The board shall appoint and engineer duly registered under Hawaii State laws pertaining to registration of engineers. He shall practice "PONO", be evaluated annually and be known as the Manager and chief engineer and shall be the head of the department....

ARTICLE XVIII

Civil Defense Agency

Section 18 . 01 . Civil Defense Agency. There shall be a civil defense agency whose powers, duties, functions and organization shall practice "PONO", be evaluated annually and be as provided by law.

ARTICLE XX

Code of Ethics

Section 20 . 01 . Standards of Conduct. In order to establish a high standard of integrity and morality in government service, The Guiding Principles of "PONO" will be utilized and enforced, evaluated annually and is hereby established:

Section 20 . 05 . Board of Ethics. The Board of Ethics shall practice "PONO" be evaluated annually and:

ARTICLE XXVIII

Cost Control Commission

Section 28 . 02 . Goal. The goal of the commission is to practice "PONO", reduce the cost of county government while maintaining a reasonable level of public services, and be evaluated annually.

Article XXIX

Salary Commission

Section 29 . 02 . Purpose and Duties.

- A. The commission shall practice "PONO", be evaluated annually and set salaries of councilmembers in accordance with the principles of adequate compensation for work performed, the preservation of a sensible relationship with the salaries of other county employees.

Article XXIII
General Provisions

Section 23.01. Definitions.

- F. The term "PONO" shall mean: *Hawaiian Dictionary Pukui/Elbert first edition 1957* - PONO: goodness, uprightness, morality, moral, quality, correct, proper procedure, excellence, well being, prosperity, welfare, the true condition or nature, duty; moral, fitting, proper, right, just, fair, beneficial, successful, in perfect order.
- G. The term "annual evaluation" shall mean: The "PONO" Commissions Corporate Evaluation Guidelines enforcing the "Principals of "PONO", to ensure Quality of Life for the citizens of Kauai.

ARTICLE XXX
Electric Power Authority

Section 30.05. Powers and Duties of the Board. The Electric Power Board shall practice "PONO" and:

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Jane Marie Taylor

cc: Mayor, County Council, County Clerk, County Attorney, Kaua'i League of Women Voters